Revised 03/06 WDNY

UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NEW YORK



FORM TO BE USED IN FILING A COMPLAINT UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. § 1983

(Prisoner Complaint Form)

17 CV 65465

All material filed in this Court is now available via the INTERNET. See Pro Se Privacy Notice for further information.

1	CAPTION	OF ACTION
4.0	CALIUN	OF WOLLOW

11 OH 11011 OZ	11011011
A. Full Name And Prisoner Number of Plaintiff: NOTE: pauperis status, each plaintiff must submit an in forma pauperis appliconsidered will be the plaintiff who filed an application and Authorization	cation and a signed Authorization or the only plaintiff to be
1. MAMUEL NICOLAS GONZOILEZ-REYES	A # 042 701219
2	
-VS-	
B. Full Name(s) of Defendant(s) NOTE: Pursuant to Fed.R.C. The court may not consider a claim against anyone not identified in this you may continue this section on another sheet of paper if you indicate b 1. OFFICER FOSSIL 2. DEFICER FOSSIL 3. LICUTERATI O'NEILL 6.	section as a defendant. If you have more than six defendants,
This is a civil action seeking relief and/or damages to defend and United States. This action is brought pursuant to 42 U.S.C. § 1983 28 U.S.C. §§ 1331, 1343(3) and (4), and 2201.	
3. PARTIES TO TH	IS ACTION
PLAINTIFF'S INFORMATION NOTE: To list additional plain	
Name and Prisoner Number of Plaintiff: Manuel Nicou	as Conzalz-LeyES H# 042701219
Present Place of Confinement & Address: BUFFALO FEOGRAPHICA ORVE, BOTAVIA, NY 14	020
Name and Prisoner Number of Plaintiff:	· ·
Present Place of Confinement & Address:	



	ENDANT'S INFURIMATION NOTE: To provide information about more defendants than there is room for here, use this it on another sheet of paper.
Name	e of Defendant: CFFICEA PANKER
(If ap	oplicable) Official Position of Defendant: Department officer AGS Employee
(If ap	plicable) Defendant is Sued in Individual and/or Official Capacity
Name	e of Defendant: OFFICEN FOSSIL
(If ap	plicable) Official Position of Defendant: OCPORTATION OFFICER / AGS EMPLOYEE
(If ap	plicable) Defendant is Sued in Individual and/or Official Capacity
Addre	ess of Defendant: SUFFALO FEDERAL DETENTION FACILIM
Yes No	
Name	of Defendant: LICUTENANT ONEILL
(If ap	plicable) Official Position of Defendant: LIEUTENANT / AGS EMPLOYEE
Addre	ess of Defendant: LIFFOLD FEOTRAL OFFENTION FACILITY
	4. PREVIOUS LAWSUITS IN STATE AND FEDERAL COURT
A.	Have you begun any other lawsuits in state or federal court dealing with the same facts involved in this action? Yes No
action	, use this format to describe the other action(s) on another sheet of paper.
	Plaintiff(s):
2.	Court (if federal court, name the district; if state court, name the county):
3.	Docket or Index Number:
4.	Name of Judge to whom case was assigned:

5.	The approximate date the action was filed:
6.	What was the disposition of the case?
	Is it still pending? Yes No
	If not, give the approximate date it was resolved.
	Disposition (check the statements which apply):
	Dismissed (check the box which indicates why it was dismissed):
	 By court sua sponte as frivolous, malicious or for failing to state a claim upon which relief can be granted;
	By court for failure to exhaust administrative remedies;
	By court for failure to prosecute, pay filing fee or otherwise respond to a court order;
	By court due to your voluntary withdrawal of claim;
	Judgment upon motion or after trial entered for
	plaintiff
	defendant.
`	es, complete the next section. NOTE: If you have brought more than one other lawsuit dealing with your imprisonment, his same format to describe the other action(s) on another sheet of paper. Name(s) of the parties to this other lawsuit: Plaintiff(s):
	Defendant(s):
2.	District Court:
3.	Docket Number:
4.	Name of District or Magistrate Judge to whom case was assigned:
5.	The approximate date the action was filed:
6.	What was the disposition of the case?
	Is it still pending? Yes No
	If not, give the approximate date it was resolved.

Disposition (cl	neck the statements which apply):
Dismisse	d (check the box which indicates why it was dismissed):
_	By court sua sponte as frivolous, malicious or for failing to state a claim upon which relief can be granted;
	By court for failure to exhaust administrative remedies;
	By court for failure to prosecute, pay filing fee or otherwise respond to a court order;
	By court due to your voluntary withdrawal of claim;
Judgment	upon motion or after trial entered for
P	laintiff
d	efendant.

5. STATEMENT OF CLAIM

For your information, the following is a list of some of the most frequently raised grounds for relief in proceedings under 42 U.S.C. § 1983. (This list does not include all possible claims.)

· Religion

=

- Free Speech
- Due Process V
- Equal Protection
- · Access to the Courts
- False Arrest
 Excessive Force
- tion Failure to Protect
- Search & Seizure V
- Malicious Prosecution >
- Denial of Medical Treatment >
- · Right to Counsel

Please note that it is not enough to just list the ground(s) for your action. You must include a statement of the facts which you believe support each of your claims. In other words, tell the story of what happened to you but do not use legal jargon.

Fed.R.Civ.P. 8(a) states that a pleading must contain "a short and plain statement of the claim showing that the pleader is entitled to relief." "The function of pleadings under the Federal Rules is to give fair notice of the claim asserted. Fair notice is that which will enable the adverse party to answer and prepare for trial, allow the application of res judicata, and identify the nature of the case so it may be assigned the proper form of trial." Simmons v. Abruzzo, 49 F.3d 83, 86 (2d Cir. 1995). Fed.R.Civ.P. 10(b) states that "[a]ll averments of claim ... shall be made in numbered paragraphs, the contents of each of which shall be limited as far a practicable to a single set of circumstances."

Exhaustion of Administrative Remedies

Note that according to 42 U.S.C. § 1997e(a), "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prison er confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted."

You must <u>provide information</u> about the extent of your efforts to grieve, appeal, or otherwise exhaust your administrative remedies, and you must <u>attach copies</u> of any decisions or other documents which indicate that you have exhausted your remedies for each claim you assert in this action.

A FINOR CY ADV. O. (1) CO. (1) O. (1) (1) O. (1) (1) (2) (2) (2) (2)
A. FIRST CLAIM: On (date of the incident), defendant (give the name and position held of each defendant involved in this incident) OFFICELS POLICEL
FOSSIL, AND HEUTENANT O'NEILL
did the following to me (briefly state what each defendant named above did): FOR REASONS UNWARRANTED AND UNCALLED FOR, ACCOSTED, MANHANDLED STUPPED, AND VIOLATED
MY PENSON, I WAS SUBJECT TO VENGOU AND PHYSICAL aguse AND
INDIGNATION, ALL ON BASELESS ACCUSATION AND GROUNDLESS SUFPICION OF
AN INFRACTION THAT NEVER OCCUPACED. THESE EMPLOYEES OF DHS/ICE
LITERALLY "JUMPED THE OWN" AND VIOLATED ONE PROCESS AND MY
CONSTITUTIONAL RIGHTS. I SUSTAINED MULTIPLE INJURIES, AS WELL AS
MENTAL AND EMOTIONAL TRAINING THAT HAUNT ME TO THIS DAY BECATTACHEDEN
The constitutional basis for this claim under 42 U.S.C. § 1983 is:
The relief I am seeking for this claim is (briefly state the relief sought): Actual DAMAGES FROM DECREASED USE & FUNCTION OF STRUCTURAL APPENDICE AS WELL AS PUNITIVE & EXEMPLARY
DAMAGES FOR RESIDUAL MENTAL SMOTIONAL MOUMA IN THE AMOUNT OF USD 50,000.
Exhaustion of Your Administrative Remedies for this Claim:
Did you grieve or appeal this claim? Yes No If yes, what was the result? THE FACILITY CREVANCE WAS DISMISSED.
Did you appeal that decision? V Yes No If yes, what was the result?
Attach copies of any documents that indicate that you have exhausted this claim.
If you did not exhaust your administrative remedies, state why you did not do so:
A. SECOND CLAIM: On (date of the incident)
defendant (give the name and position held of each defendant involved in this incident)
· · · · · · · · · · · · · · · · · · ·

id the following to me (briefly state what each defendant named above did):	
Γhe constitutional basis for this claim under 42 U.S.C. § 1983 is:	
The relief I am seeking for this claim is (briefly state the relief sought):	
Exhaustion of Your Administrative Remedies for this Claim:	
Did you grieve or appeal this claim? Yes No If yes, what was the result? _	
Did you appeal that decision?YesNo If yes, what was the result?	
Attach copies of any documents that indicate that you have exhausted thi	s claim.
f you did not exhaust your administrative remedies, state why you did not do so:	
If you have additional claims, use the above format and set them out on add	itional sheets o
6. RELIEF SOUGHT	
Summarize the relief requested by you in each statement of claim about 15 COPENDANTS A	ive. S WELL OLS
ACTUAL, PUNTINE, & EXEMPLARY DAMAGES AMOUNT	
USO 50,000 OD	
Do you want a jury trial? Yes V No	

I declare under penalty of perjury that the foregoing is true and correct.
Executed on(date)
NOTE: Each plaintiff must sign this complaint and must also sign all subsequent papers filed with the Court. Mawvel Nicolas Gowzalez Reye Manuel Newland Bongalan Reye
Signature(s) of Plaintiff(s)
MATTHEW BUCK Notary Public - State of New York No. 01BU6256203 Qualified in Wyoming County Thin Emilies March 26, 20

GRIEVALE # DETAINEE GRIEVANCE FORM (This form must contain one complaint / grievance and must be fu Detained Name: Manuel AlcoLas Reyes
Complaint / Comments: Action requested by detained: REPROACHMENT, REPRIMAND, REASS OF OFFICORS INVOLVED Detainee Request Attached. Grievant Signature: Grievence Coordinator: STEP #1 GRIEVANCE OFFICER (GO) (5 business days to complete) This grievance has been formally resolved as follows: Policies were Fellowel (GO resolution is NOT accepted and the grievance has been assigned to the responsible Department Head for resolution. **GO Signature:** Date / Time: 7/20/17 Grievant Signature: // STEP #2 DEPARTMENT HEAD (DEPT HEAD) (5 business days to complete) Date and Time Received Dept Head: This grievance has been formally resolved as follows: OR (Confinetion Page Used | yet | ac) Department Head resolution is NOT accepted and the grievance has been referred to the Grievance Appeals Board.

Date / Time:

Dept Head:

Manuel Nicolas Gonzalez-Reyes Alien Number 042701219 **Buffalo Federal Detention Facility** 4250 Federal Drive Batavia, NY 14020

Dated: July 8, 2017

Attention: Inmate Grievance

Re: Grievance for Dereliction of Duty of Assigned Post et. al.

This is to lodge a formal complaint against certain individuals and the facility that these individuals work for.

On July 6, 2017, at approximately 11 a.m., while presently in the recreation area of the Alpha Pod Yard, I was conversing with a fellow detainee. At the time, we were sharing a packet of trail mix, namely the Healthy Snack Mix option of the brand Kings Nut, bought and paid for from commissary, which is as I remember, still a privelege accorded detainees.

Subsequently, after consumption, we were accosted by Officers Parker and Fossil, patted down, strip-searched, and confined to a cell. We were violently handled and completely disrespected. We were nothing but compliant and cooperative. Without due process, we were handcuffed, pushed around, belittled, demeaned, and treated like animals. As I questioned the purpose of this abuse, the officers in question told me verbatim, "to shut up." I was later informed that all of this was sanctioned and authorized by Lieutenant O'Neill, who was already in the housing unit observing at the time this all occurred. We were brought to processing to be investigated.

Aside from the fact that Officer Parker has absolute disregard for the safety and rights of detainees, he has, in truth, been the instigator of harm and abuse. There is, as can be proven by the striation marks on my left anterior deltoid and the decreased usage and range of motion of my left arm, aside from this traumatic and demeaning experience, an unwarranted and uncalled for punishment for a crime that never occurred. This improper and excessive use of force on a detainee is totally and resolutely uncalled for. I am not a STATE PRISONER and he is NOT A CORRECTIONAL OFFICER. Additionally, this is **NOT A CORRECTIONAL FACILITY** and as such, behaviors such as these need to regulated and seen to.

As seen by the facility's own medical records, I was treated for said injuries at a hospital outside the detention center and am currently scheduled for therapy. This is evidence prima facie, of the use of excessive force and a total disregard for the Eighth Amendment protection against cruel and unusual punishment.

This is abuse above and beyond what was necessary.

I am detained but I am still to be accorded a modicum of rights and respect.

The **Detainee Handbook** itself states the following:

"The right to protection from personal abuse, corporal punishment, unneccessary or excessive use of force, personal injury, disease, property damage, and harrassment."

Also, according the the Performance-Based National Detention Standards, retaliation is prohibited and staff shall not harass, discipline, punish, or otherwise retaliate against a detainee who files a complaint or grievance, or who contacts the DHS Office of the Inspector General. Actions are considered retaliatory if they are in response to an informal or formal grievance that has been filed and the action has an adverse effect of the resident's quality of life in the facility. I would like to point this out and formally put this on record to avoid such an consequent event.

I appeal to the humanity of investigating bodies and humbly request that the officers involved be reprimanded and reproached, be spoken to and instructed, perhaps retrained, reassigned or disciplined.

Thank you for your consideration and your prompt attention to this matter.

Manuel Nicolas Gonzalez-Reves

Manuel nivels Gongles Rays

Alien Number 042701219

Notary Public Start of New York

No. 01Fi621.416

Qualified in Monroe County

My Commission Expires September 21, 2017

NOTARY PUBLIC

Manuel Nicolas Gonzalez-Reyes Alien Number 042701219 Buffalo Federal Detention Facility 4250 Federal Drive Batavia, NY 14020

Attention: Inmate Grievance Re: Photograph Request

This is to formally request that a photograph be taken of the injuries I sustained during an incident while detained at the Buffalo Federal Detention Facility. I am placing this request in writing as this is part of an ongoing investigation.

Thank you for your consideration and prompt consideration.

Sworn to before me on the Zday of July 20 17 MCHRETA/EMNIGAN Notery Public State of New York: No. 01F16211416 Qualified in Monroe County My Commission Expires September 21, 2017 NOTARY PUBLIC	Respectfully Submitted, Manuel Nicolas Gonzalez-Reyes Alien Number 042701219
Name:	Date:/
Signature:	
Subscribed and sworn before me this	Day of in the Year
Signature of Notary	My Commission Expires



ICE Health Service Corps

Authorization for Release of Confidential Health Information Autorización para Divulgación de Información sobre la Salud

I hereby authorize (Name):		Con la presente	yo, (Nombre):	
(Address): 450 Federal I	N. 90	(Domicilio):		
to disclose Health Information from my me the following period(s) of health care: from: to:	dical records covering	autorizo a divulg	ar información sobre mi salud de mi al(los) siguiente(s) perlodo(s) de cuid hasta:	s registros médicos dado de la salud
Information to be disclosed/Información a s	ser divulgada:			
	H&P Exam Exàmenes sobre Historial y	Análisis Físico	Radiology Reports/EKGs Informes sobre Radiología/Ek	ectrocardiogrames
	Lab Reports Informes de laboratorio		Mental Health Notes/Evaluation Notas/Evaluaciones sobre Sa	
Other/Otro (Specify/Especifique).				
Reason for disclosure/Motivo para ser divu	er Diher	Specify Especifique:	to person	
I understand that this will include information Adquired Imunodeficiency Syndrome (SIndrome de Inmunodeficiencia Adquir	AIDS), or Human immunode	ficiency Virus (HIV) odeficiencia Adquii	rida (VIH)	
Behavioral Health Sciences/Psychiatric Clencias de la Salud del Comportamier	: Care nto/ Cuidado Psiquiátrico		Abuse Records obre Abuso de Substancias	
This information will be released via/Esta in	formación se divulgará por:	Fax	Mail/Correo	
Name/Nombre: BUFFALO FEDERAL DET		Phone, Fax#/No.	Teléfono, Fax: 866-616-3945 Tel: 5	85-344-6648
Address/Domicilio: 4250 FEDERAL DRIVE		City/Ciudad: BA	TAVIA	
Slate/Estado: NEW YORK		Zip Code/Código	Postal: 14020	
The facility, it's employees, officers, and phreleased from any legal responsibility or lial above information in the extent indicated at	bility for disclosure of the nd authorized herein	causa de la divulginstitución, sus el márgenes autoriz	se exime de toda culpa o responsab gación de la información contenida a mpleados, funcionarios y médicos d cados en este medio.	arriba, a esta
N	ame and Signature of Patien	nt/Nombre y Firma	del Paciente	7/7/17 Date/Flecha
	Name and Relationship ombre y Parentesco del Rep	of Legal Represer resentante Legal (nlative/ sl corresponde)	Date/Fecha
	Nerrie of Witness	Nombre del Testig	0	Dafe/Fecha
Last Name:		First Name:		
A#:	A#: 042701219 Last:GONZALEZ-REY DOB: 10/20/1972	ES, First:MANUE	L NICHOLAS	
Dale of Camp Arrival (DCA):	DR IIII			
Medical Clinic: BATAVIA	1910	1234 Male		

I have received the



A: 042701219 SubID: 347499350
Facility Code: BTV Housing Area: A-2
44 Y old Male, DOB: 10/20/1977
Account Number: 1000350775
4250 FEDERAL DRIVE, BATAVIA, NY-14020
Appointment Facility: Buffalo SPC

07/17/2017

Appointment Provider: Candice Link, PA

Appointment Provider: Candice Link, PA

Electronically signed by Candice Link PA , PA on 07/17/2017 at 09:30 MST Sign off status: Pending

Buffalo SPC 4250 FEDERAL DRIVE BATAVIA, NY14020 Tel: 585-343-0814 Fax:

Patient: GONZALEZ-REYES, MANUEL NICHOLAS DOB: 10/20/1972 Progress Note: Candice Link, PA 07/17/2017



A: 042701219 SubID: 347499350 Facility Code: BTV Housing Area: A-2 44 Y old Male, DOB: 10/20/1972 Account Number: 1000350775 4250 FEDERAL DRIVE, BATAVIA, NY-14020 PCP: Candice L Link PA Appointment Facility: Buffaio SPC

07/12/2017

Appointment Provider: Drew R Hingtgen, RN

Current Medications

Taking

 HydrOXYzine Pamoate 25 MG Capsule 1 capsule as needed QHS PRN, stop date 08/02/2017, KOP: No, Drug Source: In House Pharmacy

 HydrOXYzine Paimoate 50 MG Capsule 1 capsule as needed QHS PRN, stop date 09/27/2017, KOP: No, Drug Source: In House Pharmacy

 Ibuprofen 600 MG Tablet 1 tablet with food or milk x 14 days TID PRN, stop date 07/21/2017, KOP: Yes, Drug Source: In House Pharmacy

Past Medical History

Nondependent cannabis abuse, unspecified Other, mixed, or unspecified nondependent drug abuse, unspecified Other constipation Chronic minitis Pain in throat

Allergiés N.KD.A

Reason for Appointment

1. SC: Skin-bruising

History of Present lilness

Patient Identification:

Patient Identification

Patient properly identified by 2 sources including: Whist Band, Verbally

Chaperone Present? No

Interpretation Provided? Detainee speaks English fluently

Pain Assessment:

Pain

Are you currently in pain? No

Narrative:

Pt reports to sick call requesting to have someone look at the bruising on his left shoulder/upper arm. Pt also reports intermittent numbness in his left pinkylinger. Pt wearing sling incorrectly causing pressure on the pinky side of his arm/hand. Pt re educated on how to correctly wear his arm sling to ensure equal pressure across his arm/hand. Pt educated on the healing process of bruising and that his arm and shoulder were healing and look WNL. Pt reports that his current pain medication is working and that he is pain free.

/ital Signs		
	Pain scale	
0 out of 10	07/12/2017 01:34:17 PM	Drew Hingtger RN
	Тептр	
98.6 F	07/12/2017 01:34:17 PM	Drew Hingtger RN
	HR	
89 <i>I</i> min	07/12/2017 01:34:17 PM	Drew Hingtger RN
	BP	
130/86 mm Hg	07/12/2017 01:34:17 PM	Drew Hingtger RN
-	RR	
16 <i>I</i> min	07/12/2017 01:34:17 PM	Drew Hingtgen RN
	Wt	
186 lbs	07/12/2017 01:34:17 PM	Drew Hingtger RN
	Ht	
67 in	07/12/2017 01:34:17 PM	Drew Hingtger RN
	EMI	
29.13 Index	07/12/2017 01:34:17 PM	Drew Hingtger RN

Examination

General Examination:

SKIN: large bruising noted on patients left upper erm/shoulder, bruising healing, skin intact. MUSCULOSKELETAL: normal gait no deformities non-tender to palpation full range of motion good strength and equal bilaterally good capillary refill in nail beds neurovascular intact.

EXTREMITIES: no ederma full range of motion good capitlary refill in nail beds.

PSYCH: alert, oriented cooperative with exam good eye contact.

Assessments

Ateration in comfort.

Treatment

1. Others

Notes: No treatment indicated at this time.

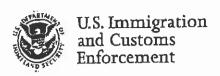
Disposition: Detalnee returned to dorm

Notes: Discussed medication use and side effects with patient, Education provided on Medication and Treatment, Medication and Treatment Plan Reviewed, Medication risks, benefits, alternatives discussed, Patient advised to return to sick call if symptoms worsen prior to next appointment, Patient verballzed understanding of all Instructions. IHSC RN guidelines referenced for this SC

Electronically signed by Nicole Midla RN , RN on 07/10/2017 23:25:07 (Eastern Daylight Time)
Sign off status: Completed

Buffalo SPC 4250 FEDERAL DRVE BATAVIA, NY 14020 Tel: 585-343-0814 Fax:

Patient: GONZALEZ-REYES, MANUEL NICHOLAS DOB: 10/20/1972 Progress Note: Nicole Midia, RN 07/10/2017



A: 042701219 SubiD: 347499350 Facility Code: BTV Housing Area: A-2 44 Y old Male, DOB: 10/20/1972 Account Number: 1000350775 4250 FEDERAL DRIVE, BATAVIA, NY-14020 PCP: Candice L Link PA Appointment Facility: Buffalo SPC

Appointment Provider: Nicole Midia, RN

07/10/2017

Current Medications

Taking

HydrOXYzine Pamoate 25 MG Capsule 1 capsule

Hydroxyzine Parmoate 25 WZ capsule 1 capsule as needed OHS PRN, stop date 08/02/2017, KOP: No, Drug Source: In House Pharmacy
 Hydroxyzine Parmoate 50 MG Capsule 1 capsule as needed OHS PRN, stop date 09/27/2017, KOP: No, Drug Source: In House Pharmacy

 Ibuprofen 600 MG Tablet 1 tablet with food or mllk x 14 days TID PRN, stop date 07/21/2017, KOP: Yes, Drug Source: In House Pharmacy

Past Medical History

Nondependent cannabis abuse, unspecified Other, mixed, or unspecified nondependent drug abuse, unspecified Other constipation Chronic rhinitis Pain in throat

Reason for Appointment

1, SC; pain in left shoulder

History of Present Illness

Patient Identification:

Patient Identification

Patient properly identified by 2 sources including: ID Badge, Verbally

Chaperone Present? No

Interpretation Provided? Detainee speaks English fluently

Pain Assessment:

Are you currently in pain? Yes
The pain is located : left shoulder

The severity of pain is rated at 8/10

The severity of the pain is moderate to severe

The pain began 4-5 days ago

The character of the pain is aching, is constant, is sharp

The associated symptoms are tender to touch

The pain is aggravated by other Describe: movement of left arm The pain is relieved by other Describe: unknown

Vital Signe

rital signe	Fain scale	
8 out of 10	07/10/2017 08:18:28 PM	Nicole Midla RN
	Temp	
98.6 F	07/10/2017 08:18:28 PM	Nicole Mdla RN
	HR	
100 /min	07/10/2017 08:18:28 PM	Nicole Mdla RN
	BP	
140/90 mm Hg	07/10/2017 08:18:28 PM	Nicole Mdla RN
	RR	
16 /min	07/10/2017 08:18:28 PM	Nicole Mdla RN
	Wt	
188 lbs	07/10/2017 08:18:28 PM	Nicole Mdla RN
	Ht	
67 In	07/10/2017 08:18:28 PM	Nicole Mdla RN
	BIVI	
29.44 Index	07/10/2017 08:18:28 PM	Nicole Mdl RN

Examination

General Examination:

GENERAL APPEARANCE: in no acute distress, well developed, well nourished. EXTREMITIES: left arm limited ROM per detainee, wearing arm sling, CMS checks WNL to digits on left hand, large bruise noted to inner aspect of arm near armpit, skin intact, no drainage present.

Detainee states the ibuprofen that has been prescribed for him is not alleviating his pain. Requesting stronger medication for pain relief.

Assessments

Attention in comfort.

Notes: Will refer to provider for further evaluation

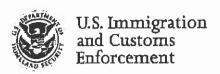
Appointment Provider: Nicole Midla, RN

Electronically signed by Nicole Midia RN , RN on 07/10/2017 23:25:07 (Eastern Daylight Time)

Sign off status: Completed

Buffalo SPC 4250 FEDERAL DRIVE BATAVIA, NY 14020 Tel: 585-343-0814 Fax:

Patient: GONZALEZ-REYES, MANUEL NICHOLAS DOB: 10/20/1972 Progress Note: Nicole Midia, RN 07/10/2017



A: 042701219 SubID: 347499350 Facility Code; BTV Housing Area: A-2 44 Y old Male, DOB: 10/20/1972 Account Number: 1000350775 4250 FEDERAL DRIVE, BATAVIA, NY-14020 PCP: Candice L Link PA Appointment Facility: Buffalo SPC

Appointment Provider: Merile M Barcena, NP

07/08/2017

Current Medications

Taking

 HydrOXYzine Pamoate 25 MG Capsule 1 capsule as needed QHS PRN, stop date 08/02/2017, KOP: No, Drug Source: In House Pharmacy

 HydrOXYzine Parmoate 50 MG Capsule 1 capsule as needed QHS PRN, stop date 09/27/2017, KOP: No, Drug Source: In House Pharmacy

 Ibuprofen 600 MG Tablet 1 tablet with food or milk x 14 days TID PRN, stop date 07/21/2017, KOP: Yes, Drug Source: In House Pharmacy

Past Medical History

Nondependent cannabis abuse, unspecified Other, mixed, or unspecified nondependent drug abuse, unspecified Other constipation Chronic rhinitis

Review of Systems

Musculoskeletal:

Pain in throat

Joint stiffness Admits severe left shoulder pain, limitation on ROM.

Reason for Appointment

1. ER (/u- Left shoulder injury

History of Present Illness

Narrative:

44 y/o patient was intervene in the yard by ICE officer consequently with pain on his left shoulder. Pt was sent to the ER for consultation, Pt was DX with Contusion versus sprain of the left shoulder. Today, pt reports the pain is severe, mildly improved. He reports more redness and pain on deltoid region. Pt reports still unable to move affected shoulder due to pain. Patient Identification:

Patient Identification

Patient properly identified by 2 sources Including: ID Badge, Verbally

Chaperone Present? No

Interpretation Provided? Provider fluent in detainee's native language

Pain Assessment:

Are you currently in pain? Yes

The pain is located : see HPI

The severity of pain is rated at 9/10

The severity of the pain is moderate to severe

The pain began 4-5 days ago

The character of the pain is aching

The associated symptoms are none

The pain is aggravated by other

Describe: ROM

The pain is relieved by other

Vital Slane

Vital signs	Pain scale	
8 out of 10	07/08/2017 08:06:19 AM	Merlie Barcena NP
	Temp	
98.2 F	07/08/2017 08:06:19 AM	Merlie Barcena NP
	HR	
83 /min	07/08/2017 08:06:19 AM	Merlie Barcena NP
	BP	
144/90 mm Hg	07/08/2017 08:06:19 AM	Merlie Barcena NP
	RR	
18 <i>i</i> min	07/08/2017 08:06:19 AM	Merlie Barcena NP
	Wt	
188 lbs	07/08/2017 08:06:19 AM	Merlie Barcena NP
	Ht	
67 in	07/08/2017 08:06:19 AM	Merlle Barcena NP
	EMI	
29.44 Index	07/08/2017 08:06:19 AM	Merile Barcena NP

BYRN.

Examination

General Examination:

GENERAL APPEARANCE in no acute distress, well developed, well nourished, appears in

HEART: no murmurs, regular rate and rhythm, S1, S2 normal.

LUNGS: normal, clear to auscultation bilaterally, no wheezes, rales, monchi.

MUSCULOSKELETAL: left shoulder; redness and bruised on deltoid area. Pt is very guarded due to pain-limited examination. PROM; adduction with discomfort, adduction with discomfort. Muscle strenght slighty decreased..

Assessments

1. Unspecified subluxation of left shoulder joint, initial encounter - \$43,002A

Treatment

Unspecified subluxation of left shoulder joint, initial encounter
 Notes: Continue Ibuprofen pm pain, Continue sling. Refer back to Ortho for MRI and further evaluation
 pain and limited ROMPROM Referral req.

Disposition: Medically deared for custody

Appointment Provider: Merile M Barcena, NP

Confirmatory sign off:

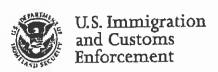
Quinones MD, Carlos M 07/11/2017 01:58:11 PM

Electronically signed by Merlie Barcena NP , NP on 07/08/2017 18:47:46 (Eastern Daylight Time)

Electronically co-signed by Carlos Quinones MD on 07/11/2017 at 01:58 PM MDT Sign off status: Completed

Buffalo SPC 4250 FEDERAL DRIVE BATAVIA, NY 14020 Tel: 585-343-0814 Fax:

Patient: GONZALEZ-REYES, MANUEL NICHOLAS DOB: 10/20/1872 Progress Note: Merlie M Barcena, NP 07/08/2017



A: 042701219 SubtD: 347499350
Facility Code: BTV Housing Area: A-2
44 Y old Male, DOB: 10/20/1972
Account Number: 1000350775
4250 FEDERAL DRIVE, BATAVIA, NY-14020
PCP: Cardice L Link PA
Appointment Facility: Buffalo SPC

07/07/2017

Appointment Provider: Indea B King, NP

Current Medications

Taking

 HydrOX/zine Pamoate 25 MG Capsule 1 capsule as needed CHS PRN, stop date 08/02/2017, KOP: No, Drug Source: in House Pharmacy

 Naproxen 500 MG Tablet 1 tablet as needed BID, stop date 07/07/2017, KOP: Yes, Drug Source: In House Pharmacy

House, Pharmacy

HydrOXYzine Pamoate 50 MG Capsule 1 capsule as needed QHS PRN, stop date 09/27/2017, KOP:
No, Drug Source: In House Pharmacy

 Ketorolac Tromethamine 30 MC/ML Solution 60 mg IM Orice a day, stop date 07/07/2017, KOP: No, Drug Source: In House Pharmacy

Past Modical History

Nondependent cannabis abuse, unspecified Other, mixed, or unspecified nondependent drug abuse, unspecified Other constipation Chronic minitis Pain In thioat

Altergles N.K.D.A

Reason for Appointment

1. Review ER consult

History of Present Illness

Narrative:

Review of ER consult 7/6/17- see scanned document

A: Contusion of left shoulder, Shoulder Sprain

P: xray obtained to r/o fracture dislocation was negative; lbuprofen 600mg Q6-8h for pain PRN f/u orthopedics (716-898-3414) in 3-5 days if no symptom improvement to obtaine MRI d/t decreased ROMof the joint and may have subluxed or have ligamentous damage; refrain from lifting heavy items with left arm for the next week; remain in sling and try gentle ROM to prevent frozen shoulder, return to ER if Increased pain out of control, fall.

Assessments

1. Contusion of left shoulder, sequela - S40,012S (Primary)

Treatment

1. Contusion of left shoulder, sequela

Start Ibuprofen Tablet, 600 MG, 1 tablet with food or milk x 14 days, Orally, TID PRN, 14 days, 1, Refilis 0, KOP: Yes, Drug Source: In House Pharmacy

Notes: referred to ortho per Er recommendation for possible MRI eval joint subluvation and possible

ligamentous injury
Pt educated refrain from lifting heavy items with left arm for the next week; remain in sling and try
could ROM to present frozen shoulder, return to ER if increased pain out of control, fall.

gentle ROM to prevent frozen shoulder, return to ER if increased pain out of control, fall.

Referral To:Orthopedics (Pending Approval)

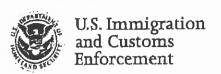
Reason:44 y/o male seen by ER 7/6/17 and recommend referral for orthopedic consult in 3-5 days s/p left shoulder injury/subluxation

Appointment Provider: Indea B King, NP

Electronically signed by Indea King NP , NP on 07/07/2017 15:42:37 (Eastern Daylight Time)

Sign off status: Completed

Buffalo SPC 4250 FEDERAL DRIVE BATAVIA, NY 14020 Tel: 585-343-0814 Fax:



A: 042701219 SubID: 347499350 Facility Code: BTV Housing Area: A-2 44 Y old Male, DOB: 10/20/1972 Account Number: 1000350775 4250 FEDERAL DRIVE, BATAVIA, NY 14020

Past Medical History

Nondependent cannabis abuse, unspecified Other, mixed, or unspecified nondependent drug abuse, unspecified Other constipation Chronic rhinitis Pain In throat

Reason for Appointment

1. Medical records request

History of Present Illness

Request for Medical Records:

Request for Medical Records

Medical records requested on the following date: 01/01/2015 06/21/2017

Dates of records requested: 7/17/17

Was complete health record requested? No June 2017-present Approver of this request: CDR S McMahan

Medical Records Request form scanned to Patient Documents: Yes

Medical Records requested from outside provider? No

Name of person requesting medical records: Detainee

Requested records retrieved and total number of pages released: 7/17/2017 Requested medical records were provided to requestor on: 01/01/2015 7/17/2017

If detainee request, detainee signed for records or records were placed in detainee property.

Yes, detainee signed for records, Yes, records placed in property
If detainee request, detainee allowed to ask questions and answers provided: Detainee had no questions

> Tel: Fax:

Patient: GONZALEZ-REYES, MANUEL NICHOLAS DOB: 10/20/1972 Progress Note:



A: 042701219 SubiD: 347499350 Facility Code: BTV Housing Area: A-2 44 Y old Male, DOB: 10/20/1972 Account Number: 1000350775 4250 FEDERAL DRIVE, BATAVIA, NY 14020

Tel: Fax:

Patient: GONZALEZ-REYES, MANUEL NICHOLAS DOB: 10/20/1972 Progress Note:



A: 042701219 SubID: 347499350 Facility Code: BTV Housing Area: A-2 44 Y old Male, DOB: 10/20/1972 Account Number: 1000350775 4250 FEDERAL DRIVE, BATAVIA, NY-14020 PCP: Candice L Link PA Appointment Facility: Buffalo SPC

07/07/2017

Appointment Provider: Erin Slattery, RN Supervising Provider: Indea B King, NP

Current Medications

 HydrOXYzine Parnoate 25 MG Capsule 1 capsule as needed QHS PRN, stop date 08/02/2017, KOP: No, Drug Source: In House Pharmacy

 Naproxen 500 MG Tablet 1 tablet as needed BID. stop date 07/07/2017, KOP: Yes, Drug Source: In-House Pharmacy

 HydrOXYzine Pamoate 50 MG Capsule 1 capsule as needed QHS PRN, stop date 09/27/2017, KOP: No, Drug Source: In House Pharmacy

 Ketorolac Tromethamine 30 MG/ML Solution 60 mg IM Once a day, stop date 07/07/2017, KOP: No, Drug Source: In House Pharmacy

Past Medical History

Nondependent cannabis abuse, unspecified Other, mixed, or unspecified nondependent drug abuse, unspecified Other constipation Chronic rhinitis Paln in throat

Reason for Appointment

1. return from ER

History of Present Illness

Patient Identification:

Patient Identification

Patient properly Identified by 2 sources including: Wrist Band, ID Badge, Picture

Chaperone Present? No

Interpretation Provided? Detainee speaks English fluently

Pain Assessment:

Pain

Are you currently in pain? Yes
The pain is located : left shoulder

The severity of pain is rated at 5/10

The severity of the pain is moderate

The pain began 1-2 days ago

The character of the pain is aching

The associated symptoms are tender to touch

The pain is aggravated by reaching

The pain is relieved by ice, OTC medication

Return from Offsite:

Return from Offsite visit

Returns from off-site appointment at 1:00

Consultation notes returned with patient: Yes

Reports that off-site provider said: Contusion of the left shoulder/shoulder sprain

Reports that off-site provider recommended follow-up for. F/U appointment scheduled with MLP

Provider will see patient on: 07/07/2017.

Vital	Slans

Paln scale	
07/06/2017 10:45:29 PM	Erin Slattery RN
Temp	
07/06/2017 10:45:29 PM	Erin Slattery RN
HR	
07/06/2017 10:45:29 PM	Erin Slattery RN
BP	
07/06/2017 10:45:29 PM	Erin Slattery RN
RR	
07/06/2017 10:45:29 PM	Erin Slattery RN
Wt	
07/06/2017 10:45:29 PM	Erin Stattery RN
Ht	
07/06/2017 10:45:29 PM	Erin Slattery RN
EW	
07/06/2017 10:45:29 PM	Erin Slattery RN
	07/06/2017 10:45:29 PM Temp 07/06/2017 10:45:29 PM HR 07/06/2017 10:45:29 PM BP 07/06/2017 10:45:29 PM RR 07/06/2017 10:45:29 PM Wt 07/06/2017 10:45:29 PM Ht 07/06/2017 10:45:29 PM

Examination

General Examination:

GENERAL APPEARANCE: In no acute distress, well developed, well nourished; vital signs within normal limits.

Assessments

Knowledge deficit related to off-site appt Instructions and follow-up plan.

Treatment

1. Others

Notes: 2 Tylenol given to detainee for pain KOP PRN, detainee already taking naproxen and had Advil 600 mg at 2315, supplied small Ice bag and larger arm sling, special needs form supplied. Patient educated on plan for follow-up and verbalized understanding, RN Guldelines Sprains, Strains, and

Contusions. Notified to apply covered ice pack for 20 minute intervals every hour x 24 hours as needed for pain. Educated to return to clinic for any edema, discoloration of skin, excessive warmth or coloness to affected fingers, increase of pain, or decrease in ROM. May also return to clinic if any questions or concerns arise. Nother verbalizes understanding of instructions, agrees to plan of care, and denies questions at this time.

Follow Up as scheduled

Notes: Education provided on Medication and Treatment, Patient advised to return to sick call if symptoms worsen prior to next appointment, Patient verbalized understanding of all Instructions

Appointment Provider: Erin Slattery, RN

Confirmatory sign off:

King NP, Indea B 07/07/2017 06:36:00 AM King NP, Indea B 07/07/2017 09:35:59 > Noted. If u as scheduled

Electronically signed by Erin Slattery RN , RN on 07/07/2017 01:49:16 (Eastern Daylight Time)

Sign off status: Completed

Buffalo SPC 4250 FEDERAL DRIVE BATAVIA, NY 14020 Tel: 585-343-0814 Fax:

Patient: GONZALEZ-REYES, MANUEL NICHOLAS DOB: 10/20/1972 Progress Note: Erin Slattery, RN 07/07/2017



A: 042701219 SubiD: 347499350
Facility Code: BTV Housing Area: A-2
44 Y old Male, DOB: 10/20/1972
Account Number: 1000350775
4250 FEDERAL DRIVE, BATAVIA, NY-14020
PCP: Candice L LInk PA
Appointment Facility: Buffalo SPC

07/06/2017

Appointment Provider: Carlos M Quinones, MD

Current Medications

Taking

 HydrOX/zine Pamoate 25 MG Capsule 1 capsule as needed QHS PRN, stop date 08/02/2017, KOP: No, Drug Source: In House Pharmacy

 Naproxen, 500 MG Tablet 1 tablet as needed BID, stop date 07/07/2017, KOP: Yes, Drug Source: In House Pharmacy

 HydrOXYzine Pamoate 50 MG Capsule 1 capsule as needed CHS PRN, stop date 09/27/2017, KOP: No, Drug Source: In House Pharmacy

Past Medical History

Nondependent cannabis abuse, unspecified Other, mixed, or unspecified nondependent drug abuse, unspecified Other constipation Chronic minitis
Paln in throat

Review of Systems

Musculoskeletal:

Pain in shoulder(s) admits, affecting the left shoulder.

Reason for Appointment

1. Right shoulder x ray

History of Present (Uness

Pain Assessment:

Pain

Are you currently in pain? Yes

The pain is located Use Notes Section left shoulder

The severity of paln is rated at 8/10

The severity of the pain is moderate to severe

The pain began 1-2 days ago

The character of the pain is constant

The associated symptoms are tender to touch

The pain is aggravated by physical activity

The pain is relieved by other

Describe: toradol 60 mg IM

44 y/o patient was intervene in the yard by ICE officer. Patient alleges that while he was handcuffed in processing then his shoulder was overdistended in Internal rotation. He states feeling that his shoulder popped out. Patient was brought to the clinic for evaluation.

Patient Identification:

Patient Identification

Patient properly identified by 2 sources including: ID Badge, Verbally

Chaperone Present? No

Interpretation Provided? Provider fluent in detainee's native language

Vital Signs

Vital Signs		
	Pain scale	
8 out of 10	07/06/2017 10:46:26 AM	Carlos Quinones MD
	Теттр	
98.9 F	07/06/2017 10:46:26 AM	Carlos Quinones MD
	HR	
86 /min	07/06/2017 10:46:26 AM	Carlos Quinones MD
	BP	
129/89 mm Hg	07/06/2017 10:46:26 AM	Carlos Quinones MD
	RR	
18 <i>I</i> min	07/06/2017 10:46:26 AM	Carlos Quinones MD
	Wt	
192 lbs	07/06/2017 10:46:26 AM	Carlos Quinones MD
	H	
67 in	07/06/2017 10:46:26 AM	Carlos Quinones MD
	EVI	
30.07 Index	07/06/2017 10:46:26 AM	Carlos Quinones MD
	Oxygen sat %	
99 %	07/06/2017 10:46:26 AM	Carlos Quinones MD
	RA/#Liters O2 via:	
RA	07/06/2017 10:46:26 AM	Carlos Quinones MD

Examination

General Examination:

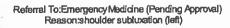
MUSCULOSKELETAL: Left, shoulder, swelling, deformity, tender to palpation, tender to movement, limited ROM - patient shoulder was out of socket and placed in place.

Assessments

1. Unspecified subluxation of left shoulder joint, Initial encounter - S43.002A (Primary)

Treatment

4. Use an either such reation of left shoulder joint, initial encounter



Follow Up

upon return from hospital

Disposition: Referral to appropriate health care service for emergency treatment

Appointment Provider: Carlos M Quinones, MD

Electronically signed by Carlos Quinones MD , MD on 07/06/2017 13:57:07 (Eastern Daylight Time)

Sign off status: Completed

Buffalo SPC 4250 FEDERAL DRIVE BATAVIA, NY 14020 Tel: 585-343-0814 Fax:

Patient: GONZALEZ-REYES, MANUEL NICHOLAS DOB: 10/20/1972 Progress Note: Carlos M Quinones, MD 07/06/2017



A: 042701219 SubiD: 347499350
Facility Code: BTV Housing Area: A-2
44 Y old Male, DOB: 10/20/1972
Account Number: 1000350775
4250 FEDERAL DRIVE, BATAVIA, NY-14020
PCP: Candice L Unk PA
Appointment Facility: Buffalo SPC

07/06/2017

Appointment Provider: Carlos M Quinones, MD

Current Medications

Taking

- HydrOXYzine Pamoate 25 MG Capsule 1 capsule as needed CHS PRN, stop date 08/02/2017, KOP: No, Drug Source; in House Pharmacy
- Naproxen 500 MG Tablet 1 tablet as needed BID, stop date 07/07/2017, KOP: Yes, Drug Source: In House Pharmacy
- HydrOXYzine Pamoate 50 MG Capsule 1 capsule as needed CHS PRN, stop date 09/27/2017, KOP: No, Drug Source: In House Pharmacy

Past Medical History

Nondependent cannabis abuse, unspecified Other, mbed, or unspecified nondependent drug abuse, unspecified Other constipation Chronic rhinitis Pain in throat

Allergies

N.K.D.A

Reason for Appointment

1. Medication prescription

Assessments

1. Unspecified subluxation of left shoulder Joint, Initial encounter - S43.002A (Primary)

Treatment

1. Unspecified subluxation of left shoulder joint, Initial encounter
Start Ketorolac Tromethamine Solution, 30 MG/ML, 60 mg M, Injection, Once a day, 1 day, 2, Refills 0, KOP: No, Drug Source: In House Pharmacy

Appointment Provider: Carlos M Quinones, MD

Electronically signed by Carlos Quinones MD , MD on 07/06/2017 14:03:29 (Eastern Daylight Time) $\,$

Sign off status: Completed

Buffalo SPC 4250 FEDERAL DRIVE BATAVIA, NY 14020 Tel: 585-343-0814 Fax:

Patient: GONZALEZ-REYES, MANUEL NICHOLAS DOB: 10/20/1972 Progress Note: Carlos M Quinones, MD 07/06/2017

CERTIFICATE OF SERVICE

STATE OF NEW YORK

)

COUNTY OF GENESSEE

)

United States District Court Western District of New York 304 United States Court House, 68 Court Street, Buffalo, New York 14202

Clerk of the Court United States District Court Western District of New York 100 State Street, Rochester, New York 14614

I, Manuel Gonzalez-Reyes, with Alien Number 042-701-219,

hereby certify that I served a copy of the attached documents to the United States District Court, Western District of New York at the above addresses.

Respectfully Submitted,

Manuel Nicolas Gonzalez-Reyes Alien Number 042-701-219

Buffalo Federal Detention Facility

onals Reyes

4250 Federal Drive Batavia, NY 14020

Notary:

MATTHEW BUCK Notary Public - State of New York No. 01BU6256203 Qualified in Wyoming County

Qualified in Wyoming County

My Commission Expires March 26, 20